

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA**

Sally Ness,

Plaintiff,

v.

City of Bloomington; Michael O. Freeman, in his official capacity as Hennepin County Attorney; Troy Meyer, individually and in his official capacity as a police officer, City of Bloomington; Mike Roepke, individually and in his official capacity as a police officer, City of Bloomington

Defendants.

Case No. 19-cv-2882 (ADM/DTS)

**DECLARATION OF
DEBRA A. JONES IN SUPPORT OF
THE CITY DEFENDANTS'
MEMORANDUM IN OPPOSITION
TO PLAINTIFF'S MOTION FOR
PRELIMINARY INJUNCTION**

STATE OF MINNESOTA)
)
) ss.
COUNTY OF HENNEPIN)

Debra A. Jones, being first duly sworn, on oath, states as follows:

1. I am a paralegal with Greene Espel PLLP, legal counsel retained to represent Defendants City of Bloomington, Mike Roepke, and Troy Meyer ("the City Defendants") in the above-referenced matter.
2. I submit this declaration based on personal knowledge.
3. Attached to this declaration are true and correct copies of documents, summarized in the table below, filed in support of the City Defendants'

memorandum in opposition to Plaintiff's motion for preliminary injunction. Among these documents are five digital recordings (Exhibits 2, 4, 6, 7, and 8) that are being filed conventionally. Our firm received these recordings from the City of Bloomington. The creation of Exhibits 2, 6, 7, and 8 are described in the Declaration of Kristin Boomer (dated December 16, 2019). The creation of Exhibit 4 is described in the Declaration of Mike Roepke (dated December 16, 2019). Also among these documents are three transcripts (Exhibits 1, 3, and 5) that our office created from the digital recordings (Exhibits 2, 4, and 6, respectively). Our office also used the two additional recordings (Exhibits 7 and 8), which overlap with the content of Exhibit 6, to create the transcript (Exhibit 5) associated with Exhibit 6.

Decl. Ex. #	Description
1	Transcript of audio recording of August 22, 2018 interaction among Bloomington Police Detective Kristin Boomer, Bloomington Police Detective Tracy Martin, Caitlin Gokey, and Sally Ness. [FILED UNDER SEAL]
2	Audio recording of August 22, 2018 interaction among Bloomington Police Detective Kristin Boomer, Bloomington Police Detective Tracy Martin, Caitlin Gokey, and Sally Ness. [FILED CONVENTIONALLY AND UNDER SEAL]
3	Transcript of bodycam recording of August 27, 2019 interaction among Bloomington Police Sergeant Mike Roepke, Bloomington Police Officer Troy Meyer, and Sally Ness. [FILED UNDER SEAL]

Decl. Ex. #	Description
4	Bodycam recording of August 27, 2019 interaction among Bloomington Police Sergeant Mike Roepke, Bloomington Police Officer Troy Meyer, and Sally Ness. [FILED CONVENTIONALLY AND UNDER SEAL]
5	Transcript of bodycam recording transcript of October 30, 2019 interaction among Bloomington Police Detective Kristin Boomer, Bloomington Police Detective Tracy Martin, Caitlin Gokey, Larry Frost, and Sally Ness. [FILED UNDER SEAL]
6	Bodycam recording of October 30, 2019 interaction among Bloomington Police Detective Kristin Boomer, Bloomington Police Detective Tracy Martin, Caitlin Gokey, Larry Frost, and Sally Ness. [FILED CONVENTIONALLY AND UNDER SEAL]
7	Audio recording of October 30, 2019 interview of Larry Frost. [FILED CONVENTIONALLY AND UNDER SEAL]
8	Audio recording of October 30, 2019 interview of Sally Ness. [FILED CONVENTIONALLY AND UNDER SEAL]
9	Agreement between the City of Bloomington and Dar Al Farooq re: Smith Park and Dar Al Farooq Property Improvements, Leases, Easements, Maintenance and Use, Agreement ID No. 2015-284 (Mar. 2, 2015), with Exhibits A-E.
10	Hennepin County property records, property summary for 8155 Park Avenue South, Bloomington.
11	Hennepin County property records, property summary for 8201 Park Avenue South, Bloomington.
12	Bloomington, Minn., Planning Division, Al Farooq Youth and Family Center (AFYFC), Frequently asked questions, https://www.bloomingtonmn.gov/plan/al-farooq-youth-and-family-center-afyfc (last visited Dec. 17, 2019).

Decl. Ex. #	Description
13	Bloomington Public Schools, History of BPS, https://www.bloomington.k12.mn.us/node/3130094 (last visited Dec. 16, 2019).
14	Bloomington, Minn., City Code § 19.03.
15	Bloomington, Minn., Development Application, Case No. 8915-A-11 (Feb. 15, 2011)
16	Bloomington, Minn. Resolution No. 2011-62 (May 2, 2011).
17	Office of the Minnesota Secretary of State, Business Record Details: Al Jazari Institute, https://mblsportal.sos.state.mn.us/Business/BusinessSearch?BusinessName=Al%20Jazari%20Institute&IncludePriorNames=False&Status=Active&Type=BeginsWith (last visited Dec. 16, 2019).
18	Office of the Minnesota Secretary of State, Business Record Details: Dar Al-Farooq Center, https://mblsportal.sos.state.mn.us/Business/BusinessSearch?BusinessName=Dar%20Al-Farooq%20Center&IncludePriorNames=False&Status=Active&Type=BeginsWith (last visited Dec. 16, 2019).
19	Office of the Minnesota Secretary of State, Business Record Details: Success Academy, https://mblsportal.sos.state.mn.us/Business/BusinessSearch?BusinessName=Success%20Academy&IncludePriorNames=False&Status=Active&Type=BeginsWith (last visited Dec. 16, 2019).
20	Dar Al-Farooq Center, About Us, http://www.daralfarooq.com/about-us (last visited Dec. 16, 2019).
21	Success Academy website, https://www.successacademymn.org/about (last visited Dec. 17, 2019).

Decl. Ex. #	Description
22	Minn. Dep't of Educ., Charter Schools, https://education.mn.gov/MDE/fam/cs/ (last visited Dec. 17, 2019).
23	Minn. Dep't of Educ., MDE Organization Reference Glossary: Success Academy 4232-07, http://w20.education.state.mn.us/MdeOrgView/organization/show/13145 (last visited Dec. 17, 2019).
24	Bloomington, Minn., Resolution No. 2018-II7 (Sept. 10, 2018).
25	United States Justice Dep't, Press Release, Two Illinois Men Plead Guilty to Bombing of Islamic Center (Jan. 24, 2019), https://www.justice.gov/usao-mn/pr/two-illinois-men-plead-guilty-bombing-islamic-center (last visited Dec. 16, 2019).
26	Reuters, FBI takes over probe of bombing of Minnesota mosque (Aug. 5, 2017), https://www.reuters.com/article/us-minnesota-blast-mosque/fbi-takes-over-probe-of-bombing-of-minnesota-mosque-idUSKBN1AL0L6 (last visited Dec. 16, 2019).
27	Personal/Professional Service Agreement between Hennepin County and City of Bloomington for Implementation of the Joint Community Police Partnership (JCPP) Project, Contract No. PR00000500 (Jan. 1, 2019 through Dec. 31, 2019).
28	Bloomington, Minn., Joint Community Police Partnership, https://www.bloomingtonmn.gov/pd/joint-community-police-partnership-0 (last visited Dec. 16, 2019).
29	Success Academy, 2019–2020 Calendar, https://b2le14a9-59dc-4c4d-91f4-98c477c1000e.filesusr.com/ugd/300bc3_le6lc002efc944caa8lff23df01ba7f4.pdf (last visited Dec. 16, 2019).
30	Bloomington, Minn., Request for Council Action: Parks and Recreation Ordinance Update (Oct. 28, 2019), with Attachments A–C.

Decl. Ex. #	Description
31	Bloomington, Minn., City Code ch.5, art. III (Parks and Playgrounds), last amended by Ordinance No. 2019-37 (Oct. 28, 2019).
32	Image of area between Park Avenue South and 12th Avenue South, and between Interstate 494 and Dar Al-Farooq Center, obtained from Google Maps, https://www.google.com/maps/place/8201+Park+Ave+S,+Minneapolis,+MN+55420/@44.8546311,-93.2665727,17z/data=!3m1!4b1!4m5!3m4!1s0x87f6258eb92b5dfb:0xf77773ba8ebd2d37!8m2!3d44.8546311!4d-93.264384 (last visited Dec. 16, 2019).
33	Image of 8201 Park Avenue South, Bloomington, Minnesota, and surrounding area (Road basemap and Road basemap combined with Spring 2018 imagery), obtained from Hennepin County Geographic Information Systems' Property Interactive Map, https://gis.hennepin.us/Property/Map/Default.aspx (last visited Dec. 16, 2019).
34	Minn. Dep't of Educ., Recess Moves: A Toolkit for Quality Recess (Nov. 2013), available at https://www.leg.state.mn.us/docs/2014/other/l40500.pdf .
35	Hennepin County, Foster Parent Guide: A to Z (2018), available at https://www.hennepin.us/-/media/hennepinus/residents/human-services/docs/foster-care-a-to-z-guide.pdf .

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 18, 2019

s/ Debra A. Jones
 Debra A. Jones